



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/495,459

02/01/2000

Hanna Abi-Saleh

9826-032-999

4881

24341

7590

04/29/2004

MORGAN, LEWIS & BOCKIUS, LLP.  
3300 HILLVIEW AVENUE  
PALO ALTO, CA 94304

EXAMINER

BRINICH, STEPHEN M

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 04/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

|                                 |             |   |                     |
|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

|          |
|----------|
| EXAMINER |
|----------|

|          |       |
|----------|-------|
| ART UNIT | PAPER |
|----------|-------|

7

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

# Office Action Summary

Application No.

09/495,459

Applicant(s)

ABI-SALEH ET AL.

Examiner

Stephen M Brinich

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 2/11/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2624

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments, see Paper #6, page 6, line 27 - page 10, line 3, filed 11 February 2004, with respect to the rejections of claims 1, 3, 7, 9, 11, 15, 17, 19, & 23 under 35 USC § 102 and the rejections of claims 2, 4-6, 8, 10, 12-14, 16, 18, 20-22, & 24 under 35 USC § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, new grounds of rejection are made as set forth below.

***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-3, 7-11, 13, 15-19, & 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Dobbs.

Re claims 1, 7, 9, & 17, Dobbs discloses (column 2, lines 12-61) a computer processor and printer arrangement that generates a test data structure (i.e. a test pattern and associated icon) for testing a printer driver by opening the associated application (the print control system) and document (the test pattern) in order to produce a test print from the test data structure.

Art Unit: 2624

Re claims 2, 10, & 18, Dobbs discloses (column 3, lines 22-23) the selection of one of several print options.

Re claims 3, 11, & 19, the described user-selected icon (column 2, lines 54-55) indicates the use of a graphical interface.

Re claims 8, 16, & 24, Dobbs discloses (column 3, lines 27-31) the generation and recording of a compatible print mode log.

Re claim 13, Dobbs discloses (column 2, line 62 - column 3, line 10), an auto-learning arrangement whereby the printer driver is equipped with learned controls corresponding to particular print media types.

***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 4-5, 12, 14, 20, & 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs in view of Koppolu et al.

Dobbs does not disclose the use of a registry database to associate applications and documents. The use of a registry database to associate applications and documents is known in the art as disclosed by the Koppolu et al. description (column 1, lines 59-63) of the Windows 95™ registry. The use of a registry database to associate applications and documents in the printer

Art Unit: 2624

driver test arrangement of Dobbs in order to permit documents of various file formats to be used as test patterns would be an expedient obvious to one of ordinary skill in the art.

6. Claims 6 & 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobbs in view of Weinberger et al.

Re claims 6 & 21, Dobbs further discloses (column 2, line 62 - column 3, line 10), an auto-learning arrangement whereby the printer driver is equipped with learned controls corresponding to particular print media types.

Dobbs discloses the use of a single printer driver. The use of multiple installed printer drivers on a computer system and the selection of a printer driver for a given print job is well known in the art as shown for example by Weinberger (column 4, lines 24-29). The use of such multiple printer drivers in Dobbs to allow the use of multiple printers connected to a single computer would be an expedient obvious to one of ordinary skill in the art.

#### **Conclusion**


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Art Unit: 2624

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

  
Stephen M Brinich  
Examiner  
Art Unit 2624

smb  
April 28, 2004